

### AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior listings of claims in the application:

1-3. (Canceled)

4. (Currently amended) ~~The A~~ polynucleotide cassette comprising an hTERT promoter, an E1A gene, an IRES sequence, and according to claim 1, wherein the E1 gene comprises an E1A gene, an IRES sequence and an E1B gene in this order.

5. (Currently amended) A recombinant virus comprising the polynucleotide according to claim [[1]] 4.

6. (Original) The virus according to claim 5, wherein the virus is an adenovirus.

7. (Previously presented) An anticancer agent comprising the virus according to claim 5 as an active ingredient and a pharmaceutically acceptable carrier, excipient or diluent.

8. (Currently amended) A method of treating cancer, comprising the step of:

(a) administering an effective amount of the recombinant virus according to claim 5 to a patient in need thereof, such that the recombinant virus is capable of replicating in a tumor cell of the patient, and wherein replication of the recombinant virus kills the tumor cell using the virus according to claim 5.

9. (Original) The method according to claim 8, wherein the cancer is at least one cancer selected from the group consisting of stomach cancer, large bowel cancer, lung cancer, liver cancer, prostate cancer, pancreas cancer, esophagus cancer, bladder cancer, gallbladder/bile duct cancer, breast cancer, uterine cancer, thyroid cancer and ovarian cancer.

10. (Original) The method according to claim 9, wherein the cancer is at least one selected from the group consisting of osteosarcoma and brain tumor.
11. (Currently amended) A method of treating cancer, comprising the step of:
  - (a) administering an effective amount of the anticancer agent according to claim 7 to a patient in need thereof, such that the virus is capable of replicating in a tumor cell of the patient, and wherein replication of the recombinant virus kills the tumor cell using the anticancer agent according to claim 7.